



## *City of El Paso – City Plan Commission Staff Report*

**REVISED**

**Case No:** SURW14-00001 Union Pacific Railroad (UPRR) Vacations  
**Application Type:** Right-of-Way Vacation  
**CPC Hearing Date:** February 13, 2014

**Staff Planner:** Raul Garcia, (915)212-1608, [garciar1@elpasotexas.gov](mailto:garciar1@elpasotexas.gov)  
**Location:** City-wide  
**Rep District:** 2,3,7,8

**Existing Use:** Railroad Crossings  
**Existing Zoning:** R-4 (Residential), SCZ-T5 (SmartCode), A-2 (Multi-family), C-4 (Commercial), M-1 (Manufacturing)

**Property Owner:** City of El Paso  
**Applicant:** City of El Paso  
**Representative:** City of El Paso

**THE PLAN FOR EL PASO DESIGNATION:** G-2 Traditional Neighborhood Walkable, G-3 Post-War, G-7 Industrial and/or Railway

### **APPLICATION DESCRIPTION**

The City of El Paso is proposing to vacate eight (8) railroad crossings in accordance with the City's Quiet Zone project which consists of modifications and closures to railroad crossings along the Five Points and UMC corridors. The crossings to be closed are the Maple, Birch, Cedar, Elm, Estrella, Cebada, Boone, and Cadwallader crossings. The closures are pursuant to agreements dated April 23, 2013 stipulating the City will take all actions necessary to permanently close and vacate the roadways, easement and/or any other rights across the UPRR property.

As of the writing of this staff report, the City has received three phone calls and one letter (Attachment 4) in support of the Cadwallader closure and one phone call in support of the Maple, Birch, Cedar, and Elm Street closures with the caller recommending for the City to consider beautifying the portions of ROW that will remain open.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of the UPRR vacations subject to the following conditions and requirements:

- A PSB easement shall be retained for existing infrastructure along the Cebada St. and Boone St. crossings

**City Development Department - Planning:**

Approval subject to a PSB easement being retained along Cebada St. and Boone Street.

**City Development Department-Land Development:**

No objections to proposed uses.

**Union Pacific Railroad Street Vacations**

1. El Paso Water Utilities currently maintains and operates stormwater mains crossings and/or parallel to quiet zones at Cebada, and Boone. These mains will remain in place.

**Cebada St. - Stormwater:**

2. There is an existing Double 5'-6" x 5' Heavy Multiple Box Section stormwater main along Cebada Street; this will remain in place.

**Boone St. - Stormwater:**

3. There is an existing 90" RCP stormwater main along the Boone Street; this will remain in place.

**No Comments:**

- Elm Street
- Cedar Street
- Birch Street
- Maple Street
- Cadwallader Street
- Estrella Street

**El Paso Water Utilities:**

No comments received.

**Parks and Recreation:**

No objections.

**El Paso Fire Department:**

No comments received.

**El Paso Electric Company:**

No comments received.

**Sun Metro:**

No comments received.

**911**

No comments received.

**Texas Gas Company:**

No comments received.

**El Paso Independent School District:**

No comments received.

**Ysleta Independent School District:**

No comments received.

## **Attachments**

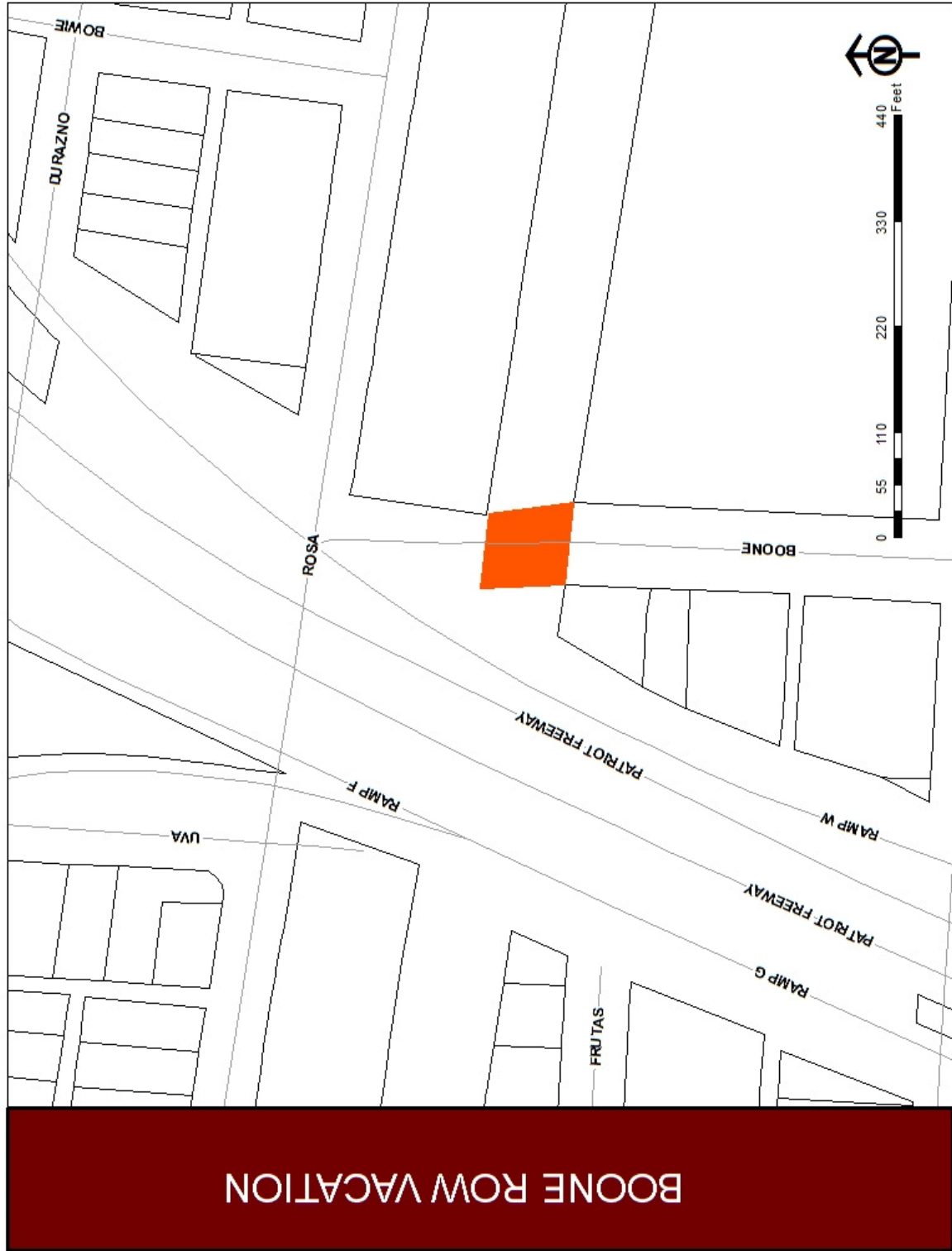
1. Location Maps
2. Aerials
3. Surveys
4. Letter in support of Cadwallader closure
5. Application

ATTACHMENT 1



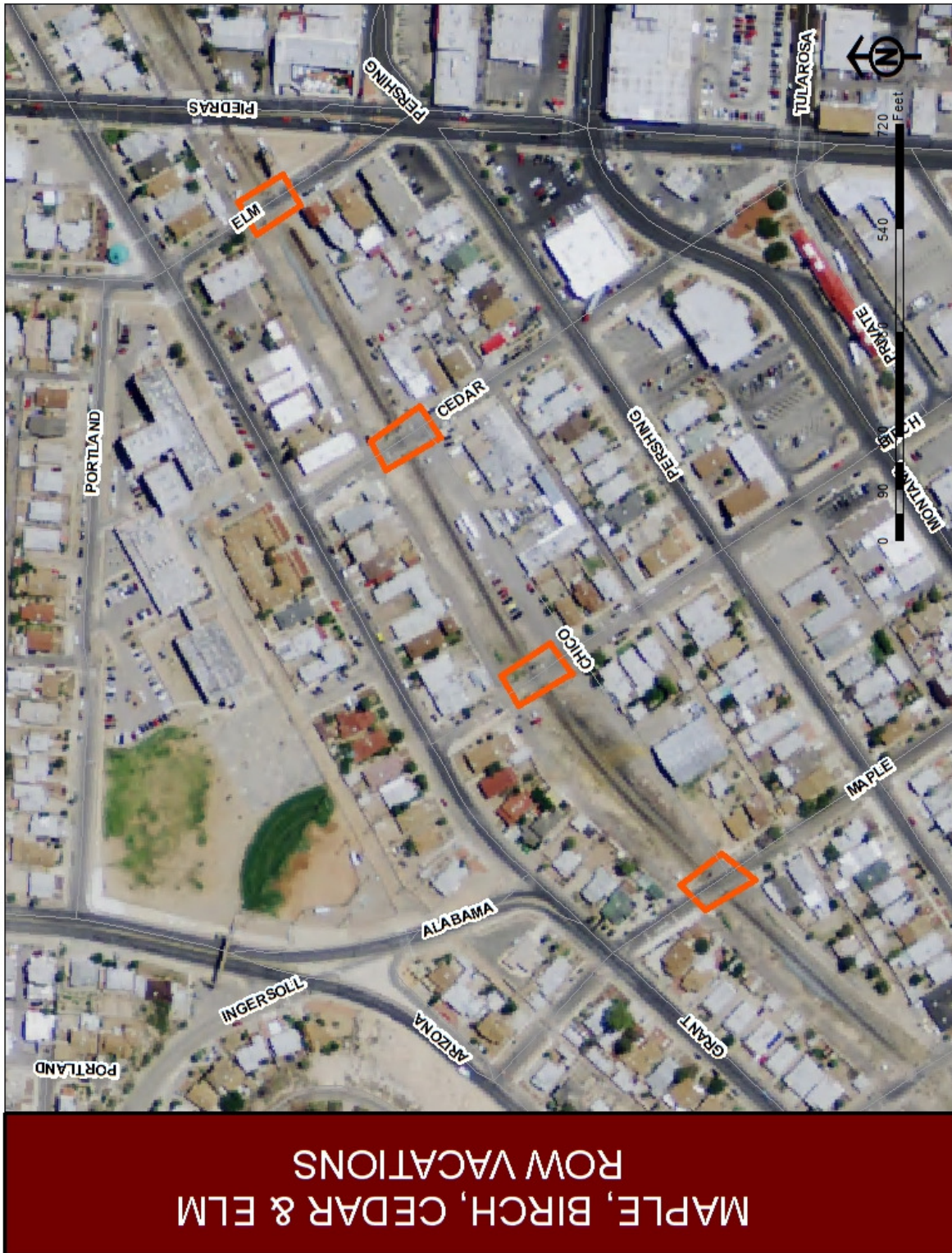








ATTACHMENT 2

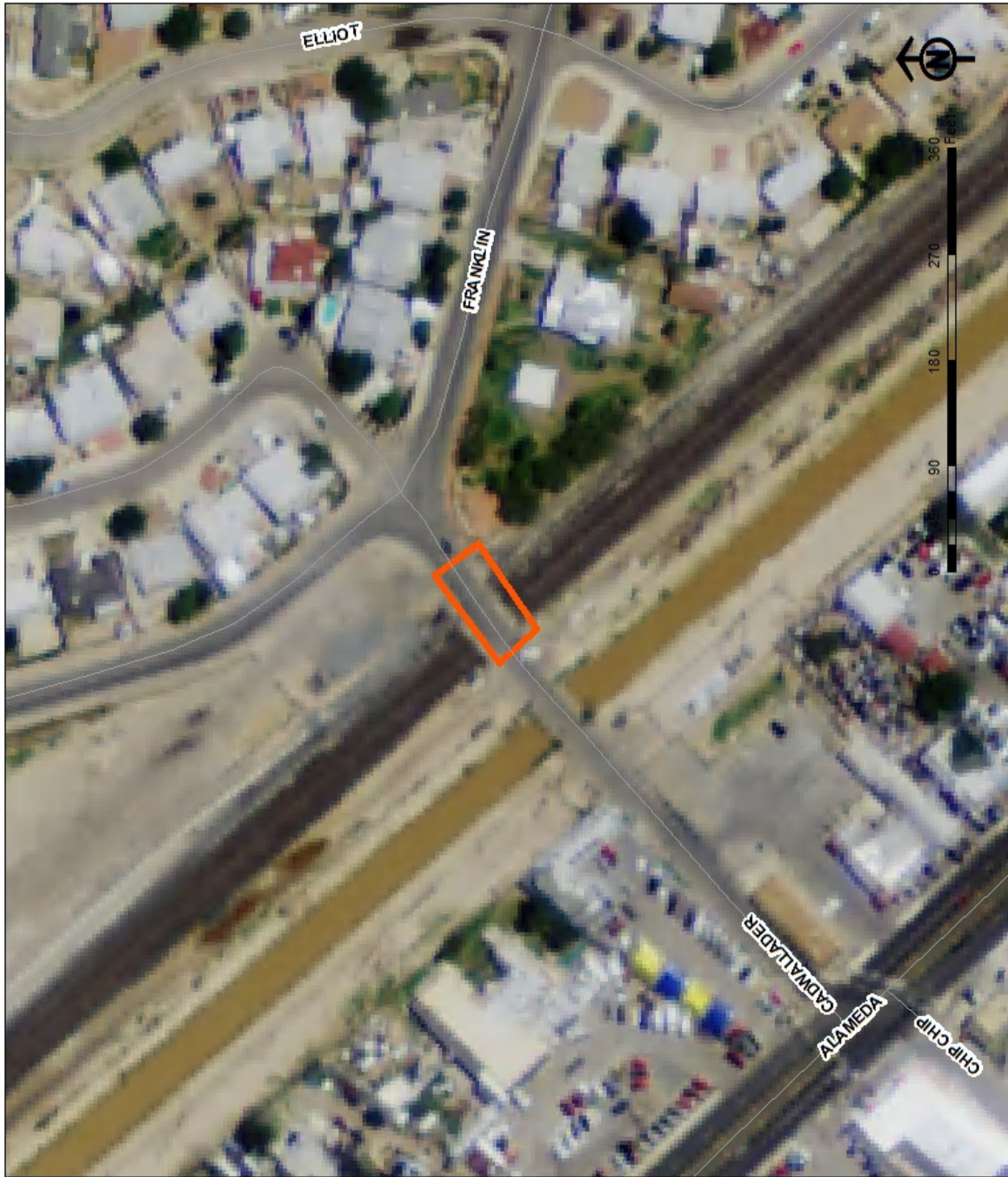






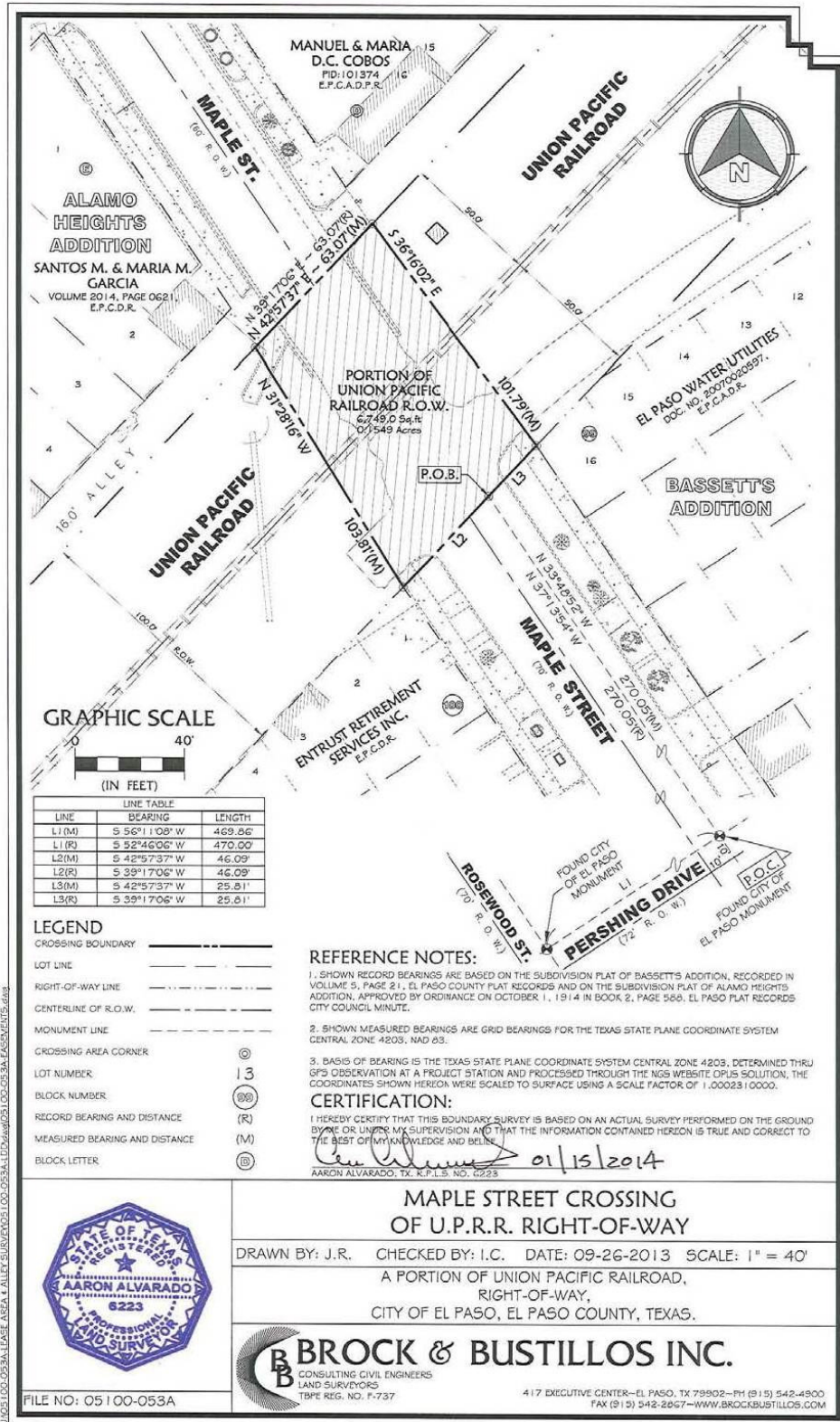




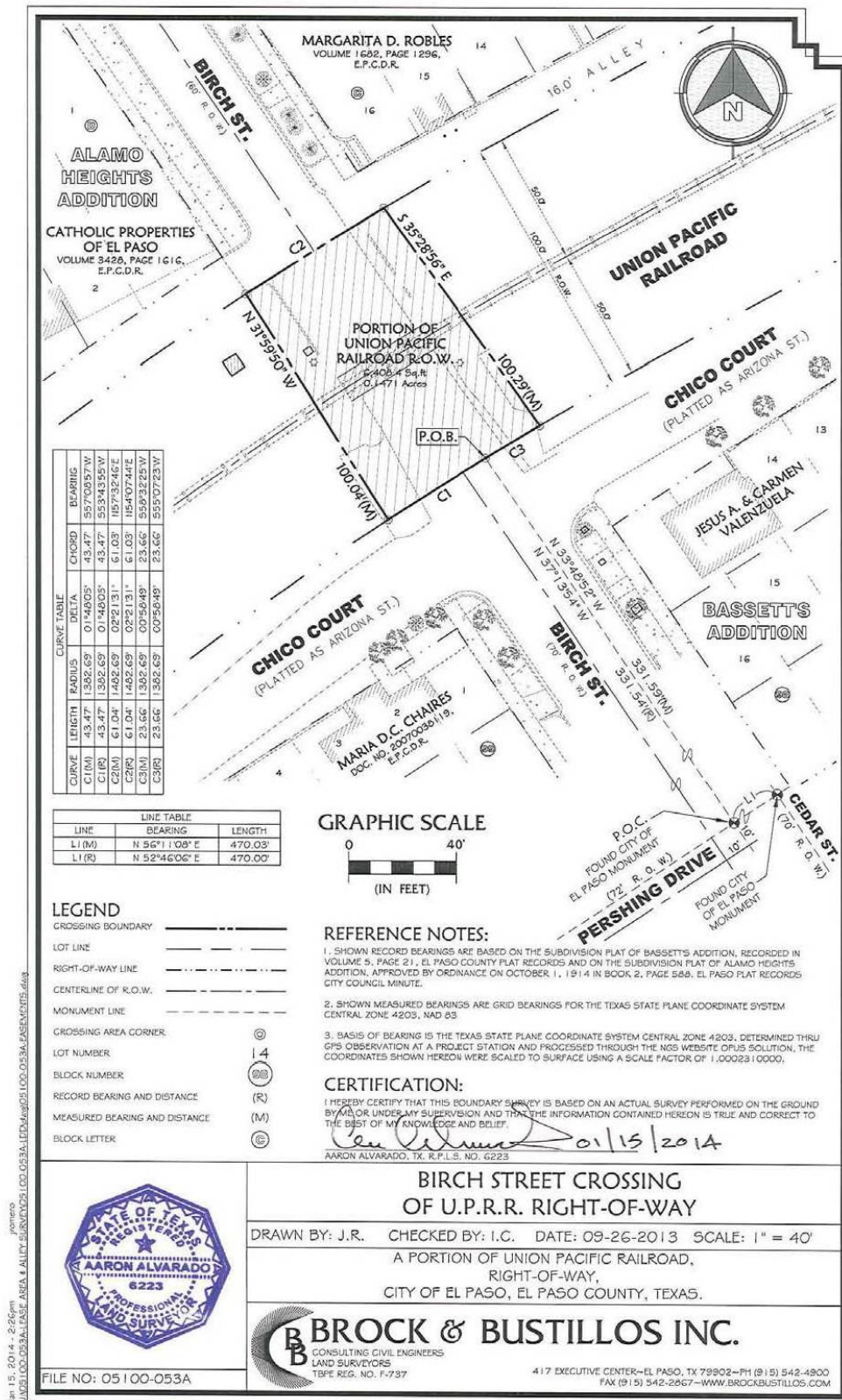


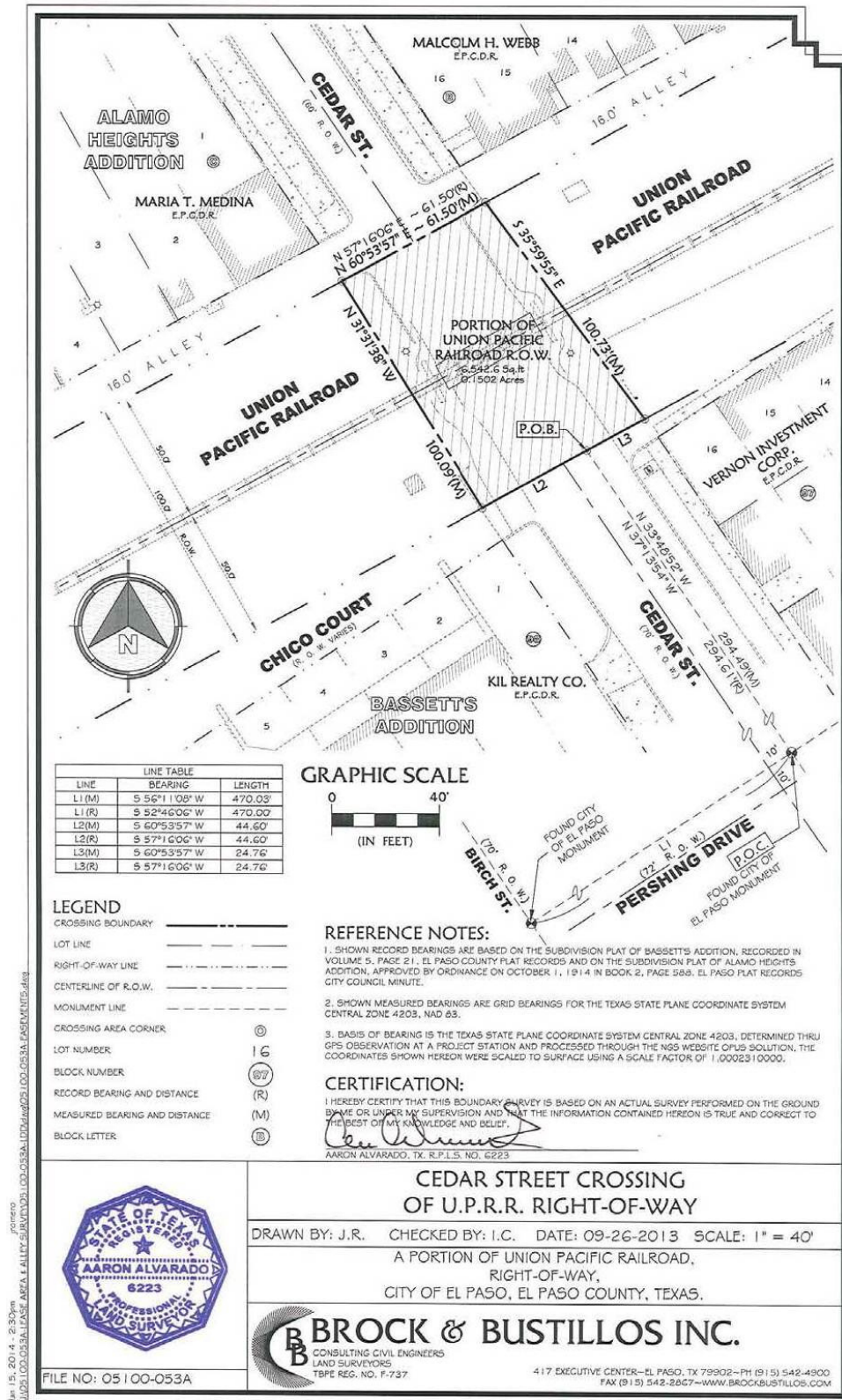
## CADWALLADER ROW VACATION

# ATTACHMENT 3

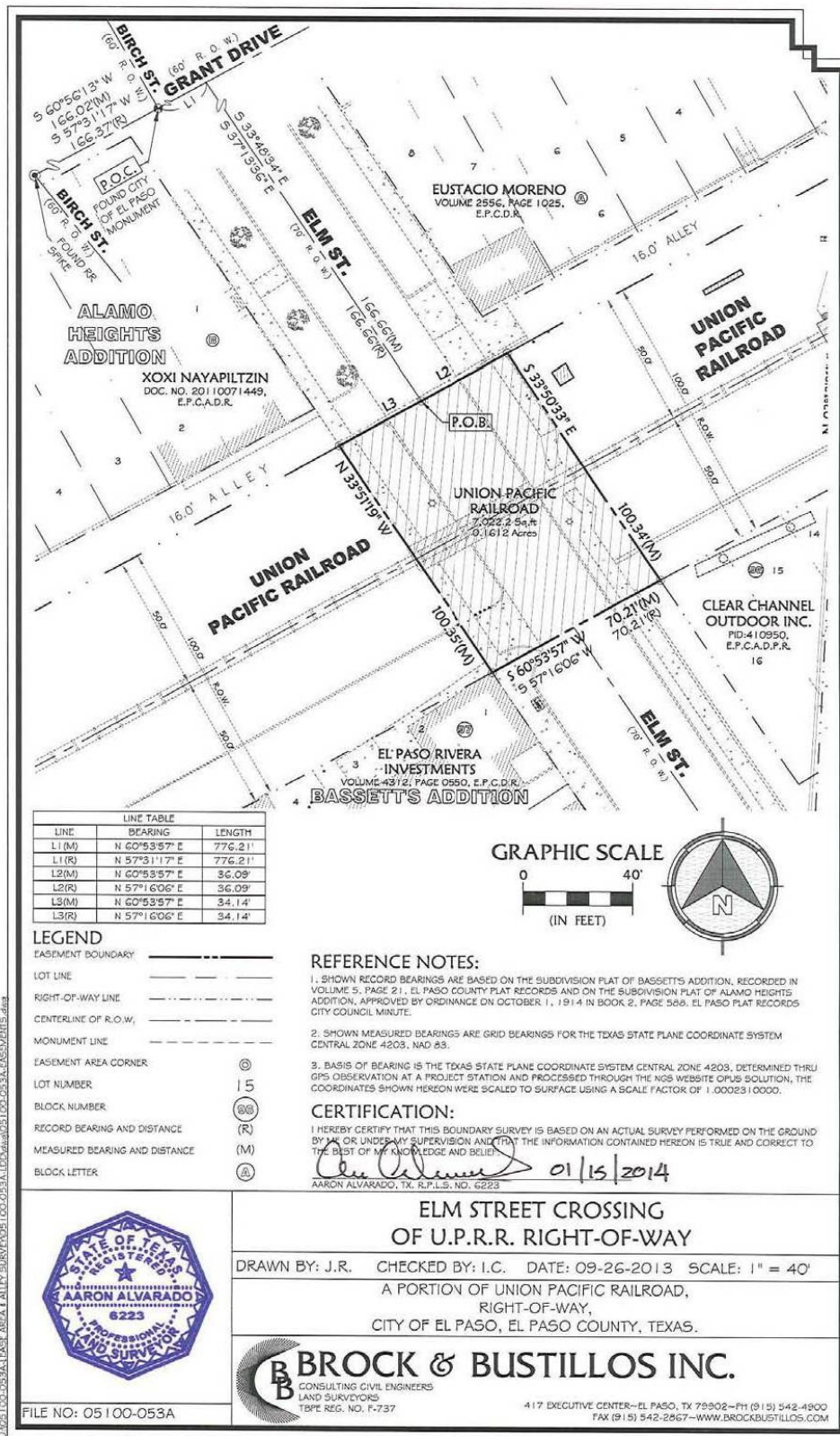












This graphical exhibit is based on a field survey performed under the supervision of Stephen Earl Cobb, RPLS. No survey monuments or survey markers were set at the corners of the closing area shown hereon.

Bearings shown hereon are State Plane Grid Bearings, Texas Central Zone FIPS 4203. Distances are surface from scaling of State Plane Grid distances by 1.000231. Geodetic positions used to calculate the above state plane values were derived by real time GPS field measurements with respect to the El Paso Island of the Texas RTK Co-Op.

A metes and bounds description with same date accompanies this graphic, and is attached to this plat for all purposes.

STEPHEN EARL COBB  
TX4297 NM10472 AZ25068

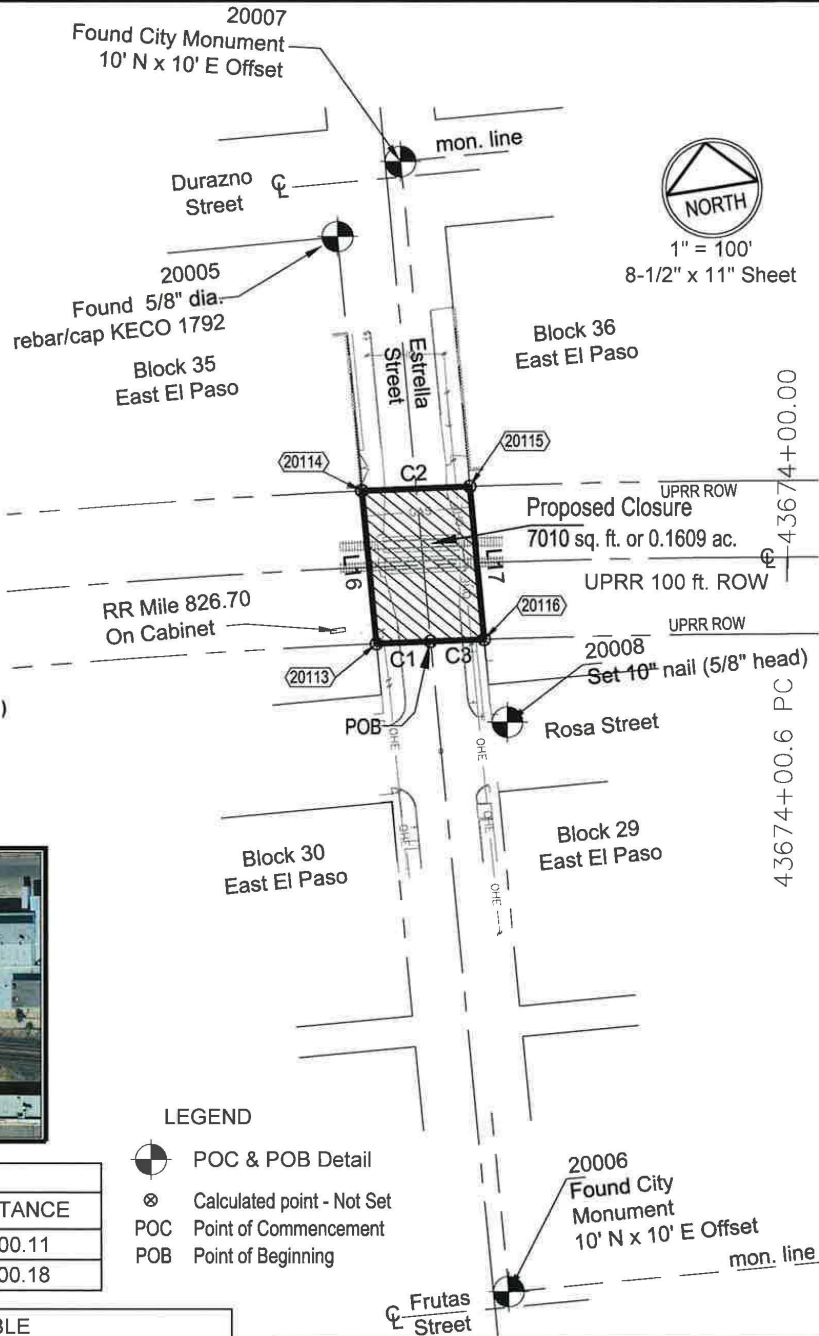


LINE TABLE		
LINE	BEARING	DISTANCE
L16	N03°32'13"E	100.11
L17	S03°32'13"W	100.18

CURVE TABLE					
CURVE	LENGTH	RADIUS	Delta	Chord Bearing	Chord Dist.
C1	35.05	5679.65	0°21'13"	N83°31'10"W	35.05
C2	70.10	5779.65	0°41'42"	S83°23'48"E	70.10
C3	35.06	5679.65	0°21'13"	N83°09'57"W	35.06

Please see sheet 2 of 2 for coordinate table.

Sheet 1 of 2



#### LEGEND

- POC & POB Detail
- Calculated point - Not Set
- POC Point of Commencement
- POB Point of Beginning

STREET CLOSING/VACATION EXHIBIT  
WITHIN RAILROAD RIGHT-OF-WAY  
Being the crossing of the Union Pacific Railway by  
Estrella Street  
City of El Paso, El Paso County, Texas

DATE OF EXHIBIT: 09/24/2013; SCALE: As Noted; OFFICE: SEC FIELD: JK/LC

HUITT~ZOLLARS, INCORPORATED

5822 Cromo Drive, Ste. 210, El Paso, Texas 79912

FAX 915-587-5247  
www.huitt-zollars.com  
PH. 915-587-4339

LINE TABLE		
LINE	BEARING	DISTANCE
L10	N03°32'13"E	36.69
L11	N81°00'41"W	35.16
L12	N03°32'13"E	100.45
L13	S81°00'41"E	70.32
L14	S03°32'13"W	100.45
L15	N81°00'41"W	35.16

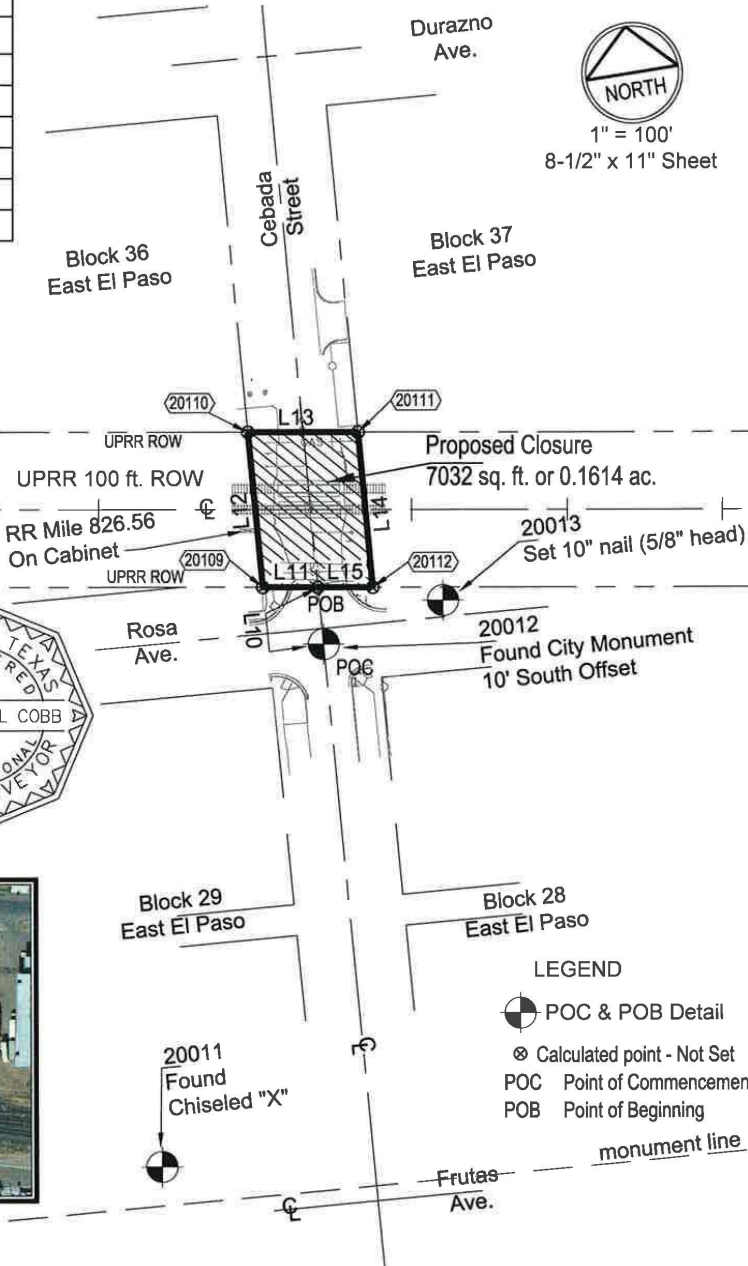
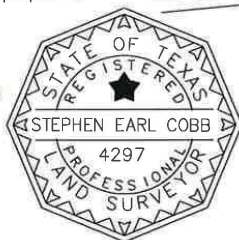
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*[Signature]*

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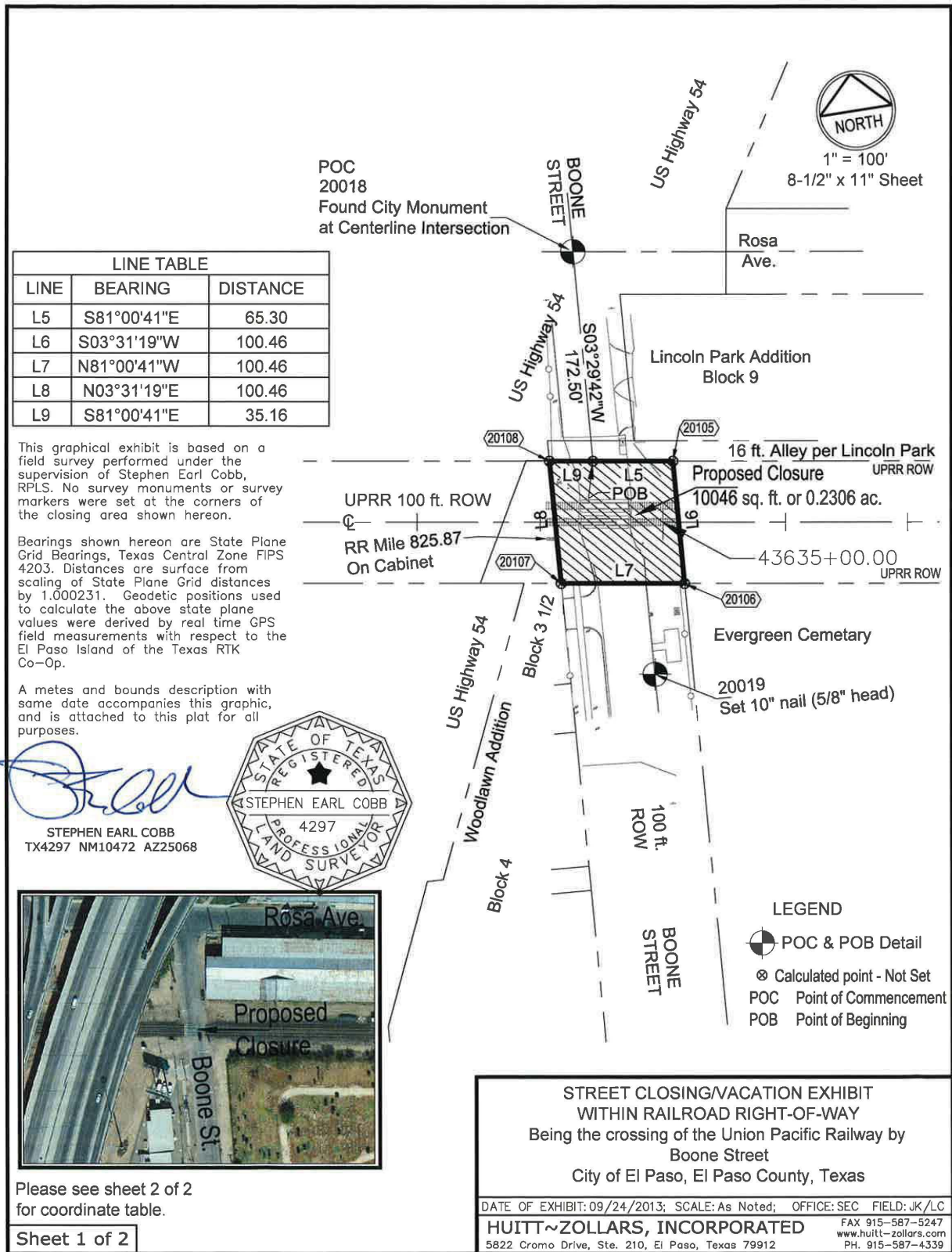
STREET CLOSING/VACATION EXHIBIT  
WITHIN RAILROAD RIGHT-OF-WAY  
Being the crossing of the Union Pacific Railway by  
Cebada Street  
City of El Paso, El Paso County, Texas

Please see sheet 2 of 2  
for coordinate table.

Sheet 1 of 2

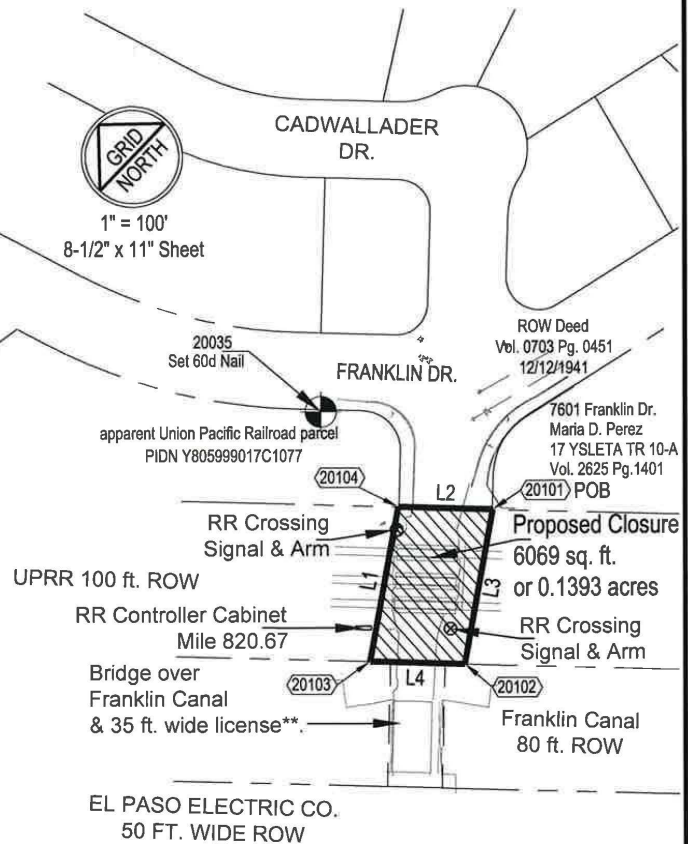
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LINE TABLE		
LINE	BEARING	DISTANCE
L1	N56°33'12"E	101.14'
L2	S42°04'08"E	60.69'
L3	S56°33'12"W	101.14'
L4	N42°04'08"W	60.69'

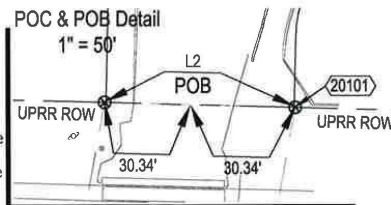
\*\* Cadwallader Dr. crossing covered by EPCWID#1 License Agreement #1300 dated 2012. This is a blanket license for 50 years for all City Street crossings within City Limits as of the date of the license agreement.



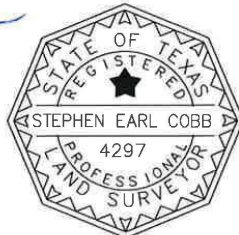
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Sheet 1 of 2

**STREET CLOSING/VACATION EXHIBIT  
WITHIN RAILROAD RIGHT-OF-WAY  
Being the crossing of the Union Pacific Railway by  
Cadwallader Street  
City of El Paso, El Paso County, Texas**

DATE OF EXHIBIT: 09-24/2013; SCALE: As Noted; OFFICE: SEC FIELD: JK/LC  
**HUITT~ZOLLARS, INCORPORATED**  
5822 Croma Drive, Ste. 210, El Paso, Texas 79912  
FAX 915-587-5247  
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PH. 915-587-4339

## ATTACHMENT 4

February 1, 2014

CITY DEVELOPMENT DEPT – PLANNING DIVISION

222 S. CAMPBELL

EL PASO, TEXAS 79901

DEAR SIR:

THIS LETTER IS IN REGARDS TO THE PROPOSED CLOSURE OF THE CADWALLADER DR CROSSING OF THE UNION PACIFIC RAILWAY RIGHT-OF-WAY.

WE HAVE LIVED IN OUR HOME AT 7603 FRANKLIN DR FOR 41 YEARS, OUR HOME BEING RIGHT ACROSS THE RAILROAD CROSSING.

WE ARE CERTAINLY IN FAVOR OF THIS PROPOSED CLOSURE. THE LOUD SOUND OF THE TRAIN HORN ALL HOURS OF THE DAY AND NIGHT IS RIDICULOUS. I'M SURE THERE ARE RULES AND REGULATIONS ABOUT HOW MANY TIMES THEY ARE SUPPOSED TO BLOW THEIR HORN AT THE CROSSING, AND IT VARIES ANYWHERE FROM 3 TO 10-12 TIMES. WE FIGURE IT DEPENDS ON THE EMPLOYEE'S MOOD OR HE THINKS ITS FUNNY TO KEEP BLOWING THE HORN, EVEN DURING THE NIGHT WHEN HE HAS TO KNOW THAT THERE ARE PEOPLE IN THIS NEIGHBORHOOD, INCLUDING BABIES AND SICK & ELDERLY PEOPLE WHO ARE SLEEPING. I SEE NO LOGIC IN THIS AS I HAVE BEEN OUTSIDE MANY TIMES WHEN THE TRAIN HAS ALREADY PASSED THE CROSSING WITH NOTHING IN HIS PATH AND HE CONTINUES TO KEEP BLOWING THE HORN WAY PAST THE CROSSING.

BECAUSE MY YARD IS RIGHT IN FRONT OF THIS CROSSING I HAVE ALSO SEEN SOME VERY DISTURBING THINGS REGARDING STUDENTS GOING TO SCHOOL OR RETURNING HOME AFTER SCHOOL. THESE YOUNG TEENAGE KIDS GOING EITHER TO RIVERSIDE HIGH SCHOOL OR MIDDLE SCHOOL GET STUCK ON THE WRONG SIDE OF THE TRACKS WHILE THE TRAIN IS PASSING SO THEY TRY TO RUN TO BEAT THE TRAIN EVEN IF THE RAILROAD GUARDS HAVE ALREADY COME DOWN. I HAVE SEEN THESE KIDS ALSO GO IN BETWEEN THE RAILROAD CARS TO CROSS WHEN THE TRAIN IS STOPPED AND BLOCKING THE CROSSING.

THERE ARE MANY TIMES WHEN WE HAVE OUR DOORS OPEN DURING NICE WEATHER AND HAVE TO CLOSE THE DOOR BECAUSE THE TRAIN IS PASSING AND BLOWING THE HORN. YOU CANNOT BE OUTSIDE TALKING WITH ANYONE WHILE THE TRAIN IS BLOWING ITS HORN BECAUSE IT IS IMPOSSIBLE TO HEAR ANOTHER PERSON TALKING WITH THIS LOUD NOISE. EVEN WATERING YOUR YARD WHILE THIS NOISE IS HAPPENING IS VERY DIFFICULT, YOU HAVE TO DROP THE HOSE AND COVER YOUR EARS UNTIL THE TRAIN STOPS BLOWING THE HORN.



WE HAVE PUT UP WITH THIS SITUATION FOR TOO MANY YEARS ALREADY AND WE HOPE THAT YOU  
WILL CONSIDER CLOSING THIS CROSSING.

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER.

SINCERELY,

  
  
MR & MRS HECTOR TARIN

PHONE# 915-772-2408

## ATTACHMENT 5



CITY OF EL PASO, TEXAS  
APPLICATION FOR VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY

Date: 1/21/2014

File No. SURW14-00001

1. APPLICANTS NAME CITY OF EL PASO ENGINEERING & CONSTRUCTION MANAGEMENT  
ADDRESS 222 S. CAMPBELL ZIP CODE 79901 TELEPHONE (915) 541-4200
2. Request is hereby made to vacate the following: (check one)  
Street ☒ Alley ☐ Easement ☐ Other ☐  
Street Name(s) SEE ATTACHED Subdivision Name SEE ATTACHED  
Abutting Blocks SEE ATTACHED Abutting Lots UNION PACIFIC RR ROW.
3. Reason for vacation request: PERMANENT CLOSURE OF AN AT-GRADE RAILROAD ROADWAY CROSSING
4. Surface Improvements located in subject property to be vacated: SEE ATTACHED  
None ☐ Paving ☐ Curb & Gutter ☐ Power Lines/Poles ☐ Fences/Walls ☐ Structures ☐ Other ☐
5. Underground Improvements located in the existing rights-of-way: SEE ATTACHED  
None ☐ Telephone ☐ Electric ☐ Gas ☐ Water ☐ Sewer ☐ Storm Drain ☐ Other ☐
6. Future use of the-vacated right-of-way:  
Yards ☐ Parking ☐ Expand Building Area ☐ Replat with abutting Land ☐ Other ☒
7. Related Applications which are pending (give name or file number):  
Zoning ☐ Board of Adjustment ☐ Subdivision ☐ Building Permits ☐ Other ☐
8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
_____	<u>UNION PACIFIC R.R. ROW</u>	_____
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. I/We further understand that the fee, if the Vacation is granted will be determined by the City of El Paso and a Certified or Cashier's Check must be presented before the request will be recommended for Council action.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

Refer to Schedule C for current fee.

OWNER SIGNATURE: City of El Paso  
REPRESENTATIVE: City of El Paso

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.

City Development Department  
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-4024